

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

RADIAN MEMORY SYSTEMS LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA, INC.,

Defendants.

Case No. 2:24-cv-01073-JRG

JURY TRIAL DEMANDED

**JOINT MOTION FOR LEAVE TO FILE RESPONSES TO THE
STATEMENT OF INTEREST BY UNITED STATES OF AMERICA (DKT. 52)**

Pursuant to Local Rule CV-7(k), Plaintiff Radian Memory Systems LLC (“Plaintiff” or “Radian”) and Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (“Samsung” or “Defendants,” together with Radian, the “Parties”) file this Joint Motion For Leave To File Responses To The Statement Of Interest By United States Of America (Dkt. 52). The Parties respectfully request leave to file responses up to seven pages long to respond to the Statement of Interest Of The United States Of America.

On May 6, 2025, Radian filed a motion for preliminary injunction. Dkt. 43 (“Motion for Preliminary Injunction”). On May 20, 2025, Samsung filed a response to Radian’s motion for preliminary injunction. Dkt. 46. On May 28, 2025, Radian filed a reply in support of its motion for preliminary injunction. Dkt. 48. On June 5, 2025, Samsung filed a sur-reply in opposition of Radian’s motion for preliminary injunction. Dkt. 49.

On June 24, 2025, the United States Department of Justice (“DOJ”) Antitrust Division and the United States Patent and Trademark Office (“USPTO”) filed a Statement of Interest Of The United States Of America. Dkt. 52 (“Statement of Interest”). In the Statement of Interest, the United States sought to “provide the Court with views of the Antitrust Division and USPTO on how to assess whether a plaintiff alleging patent infringement has demonstrated a likelihood of irreparable harm under the four-factor test for a preliminary injunction under Supreme Court and Federal Circuit precedent.” *Id.* at 3. On June 27, 2025, the Court issued an Order Setting Evidentiary Hearing on Radian’s Motion for Preliminary Injunction (the “Evidentiary Hearing”) for July 16, 2025.

The Parties respectfully request leave to file responses to the Statement of Interest on the record, with each Party filing a response of no more than seven pages long, to respond and/or raise objections to the substantive arguments and authorities raised in the Statement of Interest. Courts

regularly grant leave to respond to statements of interest filed by the United States. *See, e.g.*, Order Granting Relator's Motion For Leave To Respond To Statement Of Interest, *United States Of America ex rel. Brook Jackson v. Ventavia Research Group, LLC et al.*, No. 1:21-cv-00008-MJT, Dkt. 72 (E.D. Tex. Oct. 14, 2022); Order, *United States of America ex rel. Mitchell J. Magee, M.D. and Todd M. Dewey v. Texas Heart Hospital Of The Southwest et al.*, No. 4:16-cv-00717-ALM, Dkt. 280 (E.D. Tex. Apr. 24, 2020) (granting motion for leave to file a response to the United States' Statement of Interest). Furthermore, the United States indicated that it is unopposed to responses from the Parties. Given that the Statement of Interest includes views and argument related to Plaintiff's Motion for Preliminary Injunction, the Parties request leave to file their responses before the Court holds the Evidentiary Hearing.

Accordingly, Radian's proposed response to the Statement of Interest is being filed concurrently with this Motion for Leave as **Exhibit A**, and Samsung's proposed response to the Statement of Interest is being filed concurrently as **Exhibit B**. And pursuant to Local Rule CV-7(k), the Parties will file their proposed responses to the Statement of Interest immediately after filing this Motion for Leave.

Therefore, the Parties request that the Court grant their Joint Motion For Leave and permit the Parties to file responses to the DOJ's Statement of Interest.

DATED: July 3, 2025

/s/ Austin Curry

Jason D. Cassady
Texas State Bar No. 24045625
Email: jcassady@caldwellcc.com
Bradley W. Caldwell
Texas State Bar No. 24040630
Email: bcaldwell@caldwellcc.com
John Austin Curry
Texas State Bar No. 24059636
acurry@caldwellcc.com
Hamad M. Hamad
Texas State Bar No. 24061268
Email: hhamad@caldwellcc.com
Adrienne R. Dellinger
Texas Bar No. 24116275
Email: adellinger@caldwellcc.com
Alexander J. Gras
Texas Bar No. 24125252
Email: agras@caldwellcc.com
Andrew T. Langford
Texas State Bar No. 24087886
Email: alangford@caldwellcc.com
CALDWELL CASSADY & CURRY P.C.
2121 N Pearl Street, Suite 1200
Dallas, TX 75201
Telephone: (214) 888-4848

Andrea L. Fair
Texas Bar No. 24078488
Email: andrea@millerfairhenry.com
MILLER FAIR HENRY, PLLC
1507 Bill Owens Parkway
Longview, Texas 75604
Telephone: (903) 757-6400
Facsimile: (903) 757-2323

Attorneys for Radian Memory Systems LLC

Respectfully submitted,

/s/ Lance Yang

Melissa R. Smith
Texas State Bar No. 24001351
GILLAM & SMITH, LLP
303 South Washington Avenue
Marshall, Texas 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257
melissa@gillamsmithlaw.com

Sean Pak
California Bar No. 219032 (admitted *pro hac vice*)
seanpak@quinnemanuel.com
QUINN EMANUEL URQUHART & SULLIVAN, LLP
50 California Street, 22nd Floor
San Francisco, CA 94111
Tel: 415-875-6600
Fax: 415-875-6700

Kevin Hardy
D.C. Bar No. 473941 (admitted in E.D. Tex.)
kevinhardy@quinnemanuel.com
QUINN EMANUEL URQUHART & SULLIVAN, LLP
1300 I Street, N.W., Suite 900
Washington, DC 20005
Tel: 202.538.8000
Fax: 202.538.8100

Lance Yang
California Bar No. 260705 (admitted in E.D. Tex.)
lanceyang@quinnemanuel.com
Arian Koochesfahani
California Bar No. 344642 (admitted *pro hac vice*)
ariankoochesfahani@quinnemanuel.com
QUINN EMANUEL URQUHART & SULLIVAN, LLP
865 South Figueroa Street, 10th Floor
Los Angeles, CA 90017
Tel: (213) 443-3000
Fax: (213) 443-3100

*Counsel for Defendants Samsung Electronics Co.,
Ltd. and Samsung Electronics America, Inc.*

CERTIFICATE OF SERVICE

Pursuant to the Federal Rules of Civil Procedure and Local Rule CV-5, I hereby certify that, on July 3, 2025, all counsel of record who have appeared in this action are being served with a copy of the foregoing via the Court's CM/ECF system and via electronic mail on the date this document is filed.

/s/ Austin Curry
Austin Curry

CERTIFICATE OF CONFERENCE

Pursuant to Local Rule CV-7(h), I hereby certify that Counsel for Defendants met and conferred with Counsel for Plaintiff on July 1, 2025, regarding this Motion for Leave, and Plaintiff agreed to jointly file this Motion for Leave. Furthermore, Counsel for Plaintiff conferred with the United States on July 1, 2025, regarding this Motion for Leave, and the United States does not oppose the requested relief.

/s/ Austin Curry
Austin Curry